



Written Testimony before the Select Committee on Children

February 26, 2009

H.B. 6486 AN ACT CONCERNING RESPONSIBLE FATHERHOOD AND STRONG FAMILIES

Section 1 of this bill establishes a Problem-Solving Court Demonstration pilot program within the Judicial Branch. Our Bureau of Child Support Enforcement currently participates in a Problem-Solving in Family Matters committee coordinated by the Judicial Branch and generally supports the concept. The department would defer to the Judicial Branch, however, to address whether or not a pilot program should be mandated prior to the committee's completion of its work.

Section 2 deletes the guidelines requirement related to wages over 45 hours per week which is consistent with the incorporation of a similar standard in the existing guidelines regulations, and is acceptable to the department. The new proposal to block accrual of child support arrears in excess of \$500 if the noncustodial parent's income is at or below the federal poverty level, however, is vague and raises many questions:

- 1) Will it be determined administratively or judicially?
- 2) How often must it be determined or redetermined?
- 3) Must the obligor's family size, including individuals unrelated to the support determination, be included in the determination?
- 4) If the determination is made retroactively, must arrears be wiped out in violation of the statutory prohibition on retroactive modification of arrears?

In addition, when current support becomes due by operation of law, it becomes a judgment. If not paid, therefore, it must be added to arrears unless the order is modified prospectively. Violation of this requirement would jeopardize IV-D State Plan compliance, and risk federal financial participation in the child support program (Ref. 42 USC 666(a)(9)). There are many other operational concerns that would more directly impact Support Enforcement Services within Judicial Branch Court Operations, and the department would defer to that agency for further comment on those issues.

Section 3 adds reporting requirements to the John S. Martinez Fatherhood Initiative. Compliance with the reporting requirements in subdivisions (4) and (5) of subsection (b) would be especially difficult for our child support program. This information is not presently captured in the course of business, and would require an additional requirement for noncustodial parents to report their income. Such information is usually only gathered when an initial order is being established or an existing order is being reviewed for potential modification. The work effort for collecting this

information would be considerable, and would not be useful without full cooperation of noncustodial parents. Additionally, the term "newly employed" would require further definition to permit a determination. This provision is a large undertaking that would likely require additional resources not contemplated in the Governor's Budget.

For additional information on this testimony or any other legislation concerning the Department of Social Services, contact Matthew Barrett at (860) 424-5012 or via email at matthew.barrett@ct.gov